

FISCAL IMPACT STATEMENT ON BILL NO. **S. 153**

(Doc. No. 017home.mrh.gec.docx)

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TO:	The Honorable Glenn McConnell, Chairman, Senate Judiciary Committee		
FROM:	Office of State Budget, Budget and Control Board		
ANALYSTS:	Rodney P. Grizzle and Kenneth Brown		
DATE:	February 17, 2009	SBD:	2009119

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AUTHOR:	Senator Campsen	PRIMARY CODE CITE:	16-11-395
SUBJECT:	Home Invasion Protection Act		

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ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

A Cost to the General Fund (See Below)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

\$0 (No additional expenditures or savings are expected)

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**BILL SUMMARY:**

Senate Bill 153 amends the Code of Laws of South Carolina, 1976, by adding Section 16-11-395, which establishes the offense of Home Invasion in the First, Second and Third Degrees, along with their corresponding penalties. The Bill also adds Home Invasion as an aggravating circumstance in the consideration of a death penalty case.

**EXPLANATION OF IMPACT:**

Judicial Department

The Department indicates this Bill will have a minimal impact on the General Fund of the State, which can be absorbed by the agency at the current level of funding.

Department of Corrections

The Department indicates this Bill will have an impact on the General Fund of the State; however the lack of empirical data prevents them from providing an estimated cost. The introduction of the new offense of Home Invasion in the First, Second and Third Degrees and their mandatory minimum sentences means longer imprisonment with no good time credits or early parole. The average annual total cost per inmate is \$14,344 which includes housing, security, transportation and direct variable cost. Variable cost per inmate alone is approximately \$2,900 which covers food, clothing and incidentals.

Department of Juvenile Justice

The Department states this Bill would have no impact on the General Fund of the State or on Federal and/or Other Funds.

Approved by:



Harry Bell  
Assistant Director, Office of State Budget